

COPY

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 MAR 7 AM 9 20

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

SUBCASE NO. 37-2327, 37-2354

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

3-6-07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/7, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Cove Creek Ltd Partnership
PO Box 2277
Ketchum ID 83340



Signature of person or attorney mailing the form

03/01/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2327

NAME AND ADDRESS: COVE CREEK LTD PARTNERSHIP
PO BOX 2277
KETCHUM ID 83340

SOURCE: WILLOW SPRING TRIBUTARY: EAST FORK WOOD RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 06/16/1916

POINT OF
DIVERSION: T04N R19E S33 NENENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	0.140 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R19E S33	NENW 5.90	T04N R19E S33	NWNW 1.10
---------------	-----------	---------------	-----------

7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

03/01/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2354
NAME AND ADDRESS: COVE CREEK LTD PARTNERSHIP
PO BOX 2277
KETCHUM ID 83340
SOURCE: COVE CREEK TRIBUTARY: EAST FORK WOOD RIVER
QUANTITY: 0.140 CFS
PRIORITY DATE: 08/18/1917
POINT OF
DIVERSION: T04N R19E S33 SWSNW Within BLAINE County
PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	05/01 10/31	0.140 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R19E S33 NWNW 9.60	T04N R19E S33 SWNW	0.40
	10 ACRES TOTAL		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 6, 2007

COVE CREEK LTD PARTNERSHIP
PO BOX 2277
KETCHUM ID 83340

RE: SRBA Claim(s) 37-2327, 37-2354

Dear Claimants:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosures

**Cove Creek Limited Partnership
P.O. Box 2277
Ketchum, Idaho 83340**

(208) 720-6089

December 5, 2006

Sallie Sherman
Idaho Department of Water Resources
P.O. Box 83720-0098
Boise, Idaho 83720

Re: Address Change

Dear Ms. Sherman:

Please change the address for mailings to Cove Creek Limited Partnership to the address on the letterhead above. The address listed in your file, P.O. Box 4620 Ketchum, ID is no longer active.

Cove Creek Limited Partnership is the owner of Water Rights: 37-2637, 37-2354, and 37-2327.

Please mail Recommendations of the Snake River Basin Adjudication to the address on the letterhead above.

Sincerely,


Tom Drougas
General Partner

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-02327**
Date Received: 11/ 5/1992
Receipt No: C025940
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: COVE CREEK LTD PARTNERSHIP 208-726-6000
Address: PO BOX 4620
KETCHUM ID 83340
2. Date of Priority: JUN 16, 1916
3. Source: WILLOW SPRING Trib. to: WOOD RIVER, EAST FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	19E	28	SW	SE			BLAINE

5. Description of diverting works:
SMALL DITCH -- CAPACITY OF ONE TO TWO SECOND FEET

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.140		

7. Total Quantity Appropriated is:
0.140 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation' uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	19E	33	NW	NE		IRR	5.0
			NE	NW		IRR	2.0

Section Acres 7.0

10. Place of Use: Continued

Total Acres 7.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

LICENSE NO. 37-02354 (5 ACRES IN NENW, S.33, T4N, R19E)

14. Remarks:

DIVERSION WORKS ARE PART OF A SYSTEM OF COLLECTOR DITCHES WHICH GRAVITY FEED AND NATURALLY FLOOD IRRIGATE THE PLACE OF USE.

15. Basis of Claim: LICENSE

Water Right Number: 12201

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of _____ Title

_____, that I have signed the foregoing Organization document in the space below as _____ of

_____, Title and that the statements contained in the Organization foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ Print Name
acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____



**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type
(see instructions on back of page)

RECEIVED
AUG 17 1992

Department of Water Resources

DATE OF CLOSING: August 3, 1992

LEGAL DESCRIPTION OF PROPERTY: Township 4N Range 19E SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 28
 Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 32
 Lot _____, Block _____, Subdivision/Townsite _____, N $\frac{1}{2}$ Sec. 33
 If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

**[] Water Right Number(s)
Assigned by IDWR:**

37-2637, 37-2354, 37-2327

[] Name and Address of Former Owner/Claimant(s)(Seller):

Rosita Lecertua

353 N. Elm, #8, Twin Falls ID 83301

[] New Owner/Claimant
(Purchaser):

Cove Creek Ltd. Partnership

[] New Mailing Address:

5808 Lake Washington N.E.

Kirtland WA 98033

[] New Telephone Number:

() _____

Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no ☐
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

Attach proof of ownership, describe proof attached: —

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

Signature of New
Owner/Claimant(s)

Krista Kortum

Date 7-30-92

Signature of Former
Owner/Claimant(s):

Thomas C. Frongos, General Partner Date 8/12/92
Cove Creek Ltd. Partnership Date

Date _____

Date 8/12/92

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ **By:** _____

Further Action Needed:

Further Action Taken

Date: _____ **By:** _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

**Original to be mailed to Idaho Department of Lands
Copies to Former Owner and New Owner**

MICROFILMED

AUG 24 1934



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
AUG 17 1992

Department of Water Resources

DATE OF CLOSING: August 3, 1992

LEGAL DESCRIPTION OF PROPERTY: Township 4N Range 19E SE 1/4, S 1/2SW 1/4 Sec. 28
Section , 1/4 of 1/4 of 1/4, Govt. Lot , BM. N 1/2NE 1/4 Sec. 32
Lot , Block , Subdivision/Townsite N 1/2 Sec. 33
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: 37-2637, 37-2354, 37-2327

☐ Name and Address of Former Owner/Claimant(s)(Seller): Rosita Lecertua
353 N. Elm, #8, Twin Falls ID 83301

☐ New Owner/Claimant (Purchaser): Cove Creek Ltd. Partnership

☐ New Mailing Address: 5808 Lake Washington N.E.
Kirtland WA 98033

☐ New Telephone Number: () -

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s)

Rosita Lecertua

Date 7-30-92

☐ Signature of Former Owner/Claimant(s):

Thomas C. Dronger, General Partner
Cove Creek Ltd. Partnership

Date 8/12/92
Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

AUG 24 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-2327

Date Received

Receipt Number C025940

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 05 1992
Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Cove Creek Limited Partnership Phone (208) 726-6000
Mailing Address c/o P.O. Box 4620 Ketchum, Idaho Zip 83340

2. Date of Priority (Only one (1) per claim) June 16, 1916

3. Source of water supply (a) Willow Spring
which is tributary to (b) East Fork Wood River

4. a. Location of existing point of diversion is: Township 4 North Range 19 East Section 28 ,
1/4 of SW 1/4 of SE 1/4 , Govt. Lot, B.M., County of Blaine

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Small ditch - capacity of 1 to 2 sec. feet.

MICROFILMED
FEB 23 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4-15 to 10-15 amount 0.14 or BND

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.14 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0.14 25 BND acre feet per annum.
17.5

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4 N	19 E	33		5			2												7

Total number of acres irrigated 7

11. In which county (ies) are lands listed above as place of use located? Blaine County

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

License No. 37-2354 (5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T 4 N, R 19 E or None ()

14. Remarks:

Diversion works are part of a system of collector ditches which gravity feed
and naturally flood irrigate the place of use

Cove Creek
Last Name Limited Partnership Ident No. 37-2327

MICROFILMED
FEB 23 1993
Copies: White - State, Yellow - Claimant

Scale: 2 inches equals 1 mile

[illegible]

MICROFILMED
Copies: White-State, Yellow-Claimant FEB 23 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____

If applicable provide IDWR Water Right Number 37-2327 (formerly 12201)

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) COVE CREEK LIMITED PARTNERSHIP Date _____

By Thomas A. Drury Date 10/30/92
General Partner

For Organizations: I do solemnly swear or affirm that I am _____ a general partner
Title

of COVE CREEK LIMITED PARTNERSHIP , that I have signed the foregoing
Organization

document in the space below as general partner of Cove Creek Limited Partnership
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Thomas A. Drury
General Partner of

Title and Organization COVE CREEK LIMITED PARTNERSHIP Date 10/30/92

State of Idaho/or Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 30th day of October 19 92

SEAL

Notary Public Deborah A. Erickson

Residing at Hailey Idaho

My Commission Expires 09/24/98

Please Print Name

17. Notice of Appearance: Brian L. Ballard of the firm of
Notice is hereby given that I, Hawley Troxell Ennis & Hawley will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Brian L. Ballard
Brian L. Ballard/Hawley Troxell Ennis & Hawley

Address P. O. Box 1617, Boise, Idaho 83701 Ph. (208) 344-6000

Date _____

Last Name Cove Creek
Limited Partnership Ident. Number 37-2327

MICROFILMED

FEB 23 1993

Copies White-State, Yellow-Claimant

State of Idaho

License and Certificate of Water Right

37-2327

Water License No. 12201

Amount 0.14 sec. ft.

Water District No. 7-B

Priority 6-16-16

THIS IS TO CERTIFY that ANNA ELLINGSEN of Hailey, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 27, 1916; that Permit No. 12201 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.5 second feet, was issued thereunder on June 26, 1920, showing that said works were completed on the 5th day of June, 1920; and that on the 30th day of June, 1921,

JOHN J. ELLINGSEN

of Hailey, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Willow Spring, a tributary of E. Fk. Big Wood River for the purposes of irrigation & domestic use, under Use Permit No. 12201 of the State Engineer

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 5 of Licenses, at page 2836, on the 21st day of September, 1921;

The right hereby confirmed dates from June 16, 1916;

The Point of Diversion is located in the SW 1/4 SE 1/4, Sec. 28, Tp. 4 N., R. 19 E., B. M. County of Blaine

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.14 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	19 E.	33	NW 1/4 NW 1/4 NE 1/4 NW 1/4 SE 1/4 NW 1/4	7 7 7	5 2 1

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, at Boise, Idaho, this 21st day of September, 1921.

W. G. SWENDBER
Commissioner of Reclamation.

(SEAL)

MICROFILMED
37-2327
FEB 23 1993

Order No. 15900

A37-02327

WARRANTY DEED

For Value Received Rosita Lecertua, Personal Representative of the Estate of Jose Lecertua, Deceased

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Cove Creek Limited Partnership, a Washington Partnership whose address is: 8808 Lake Washington N.E., Kirkland, WA, 98033

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

SE1/4, S1/2 SW1/4 Section 20; N1/2 NE1/4 Section 32; N1/2 Section 33; Township 4 North, Range 19 East, Boise Meridian, Blaine County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, leases, and agreements, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: July 28, 1992

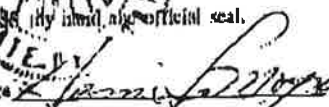

Rosita Lecertua

State of IDAHO

County of Blaine Falls

On July 28, 1992 before me, the undersigned, a Notary Public in and for said State, personally appeared Rosita Lecertua, Personal Representative of the Estate of Jose Lecertua, Deceased personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same as Personal Representative.

Witness my hand and official seal.

Signature 

Commission Expires: 5-6-98

BLAINE CO. REQUEST
FIRST AMERICAN TITLE CO.

1992 AUG -3 P 4:04

CLERK
3

343324
Deed

Post-It brand fax transmittal memo 7871		# of pages >
To: Brian Boland	From: Bob B	
Co.	Co. Fates	
Dept.	Phone #	
Fax # 344-6505	Fax #	

MICROFILMED

FEB 23 1993

REPORT OF ENGINEER

37-2327

113

This proof is for Beneficial UseIn Water District No. 65
Permit 12201

1. State name of applicant and number of permit: John J. Ellingsen, Adm. of Estate of Anna L. Ellingsen
2. State source of water supply: Willow Spring
3. Location of point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28-4N-19 E

4. Describe works as they exist, giving dimensions and capacities of same: Small Ditch leading to land of capacity between one and two sec. ft.

5. State whether or not water has been turned into works of diversion: Yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NW $\frac{1}{4}$ NE $\frac{1}{4}$ & E $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, T. 4N., R. 19 E., B.M. Difficult to tell

just where the land irrigated from the spring leaves off and land irrigated from Core Creek begins. There was some 15 or 20 acres in grain pasture and hay. But could not tell how or from just what source it had been watered.

Beneficial use. 7 acres as per Proof OK.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? One only.

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Snake River

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: Willow Spring Creek to Core Creek to Big Wood River to Malade River to Snake River

Remarks: Could not find the owner of this permit and consequently was handicapped in making examination. Secured information from forest ranger.

This examination was made on the 7 day of July 1921

(Signed)

G. N. Carter
Examiner

12201

—OVER—

37 2327

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

County of

ss.

being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this

19

My commission expires

Notary Public.

Dist. 7-B

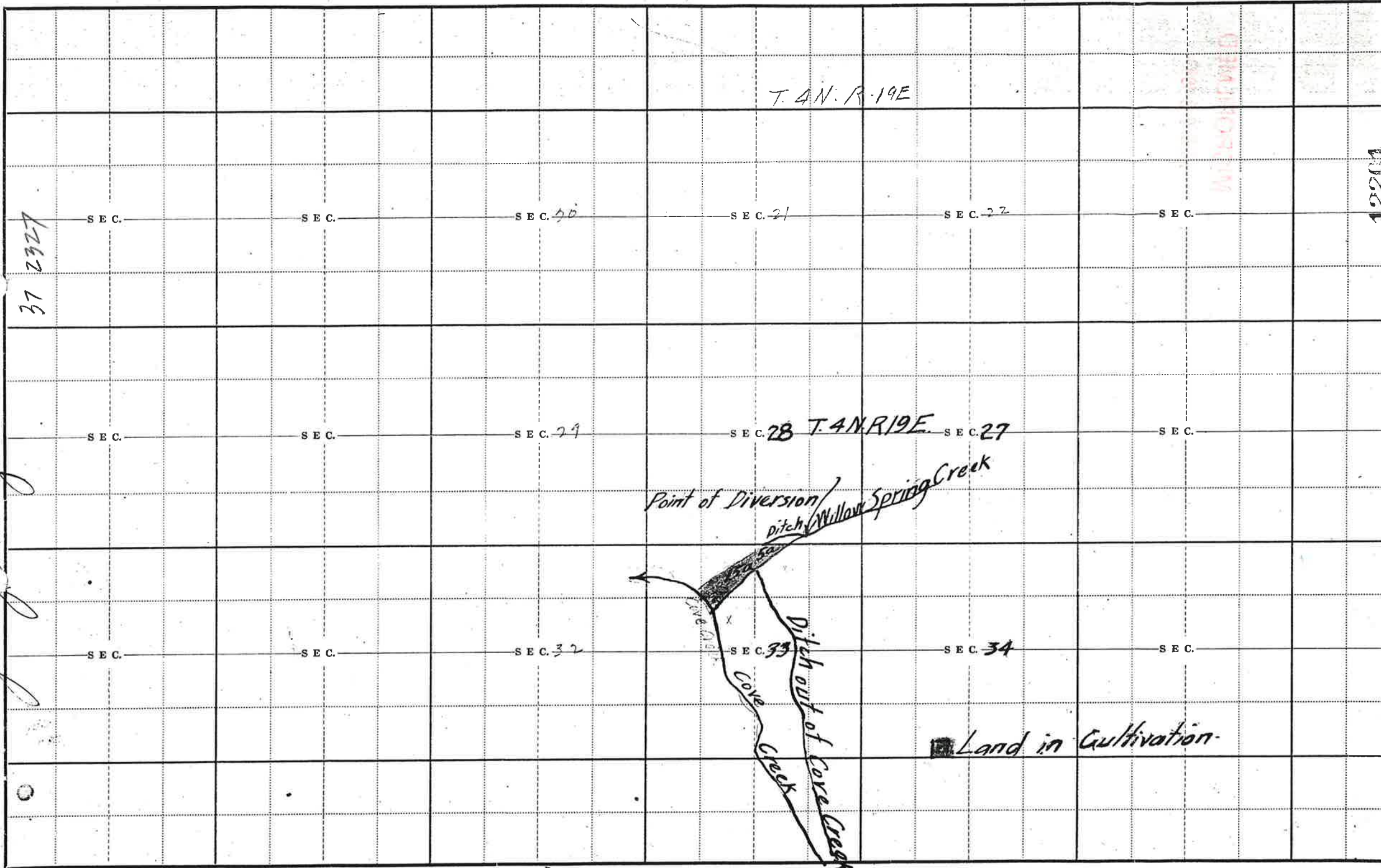
John J. Ellingsen
Hailey

Permit 12201

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

NAME OF APPLICANT *John Klingman Permit # 201*



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

37 2327

01/04/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2327

NAME AND ADDRESS: COVE CREEK LTD PARTNERSHIP
PO BOX 4620
KETCHUM ID 83340

SOURCE: WILLOW SPRING

TRIBUTARY: EAST FORK WOOD RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 06/16/1916

POINT OF DIVERSION:

T04N R19E S33 NENENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

05/01 10/31

0.140 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T04N R19E S33

NENW

5.90

T04N R19E S33

NWNW

1.10

7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

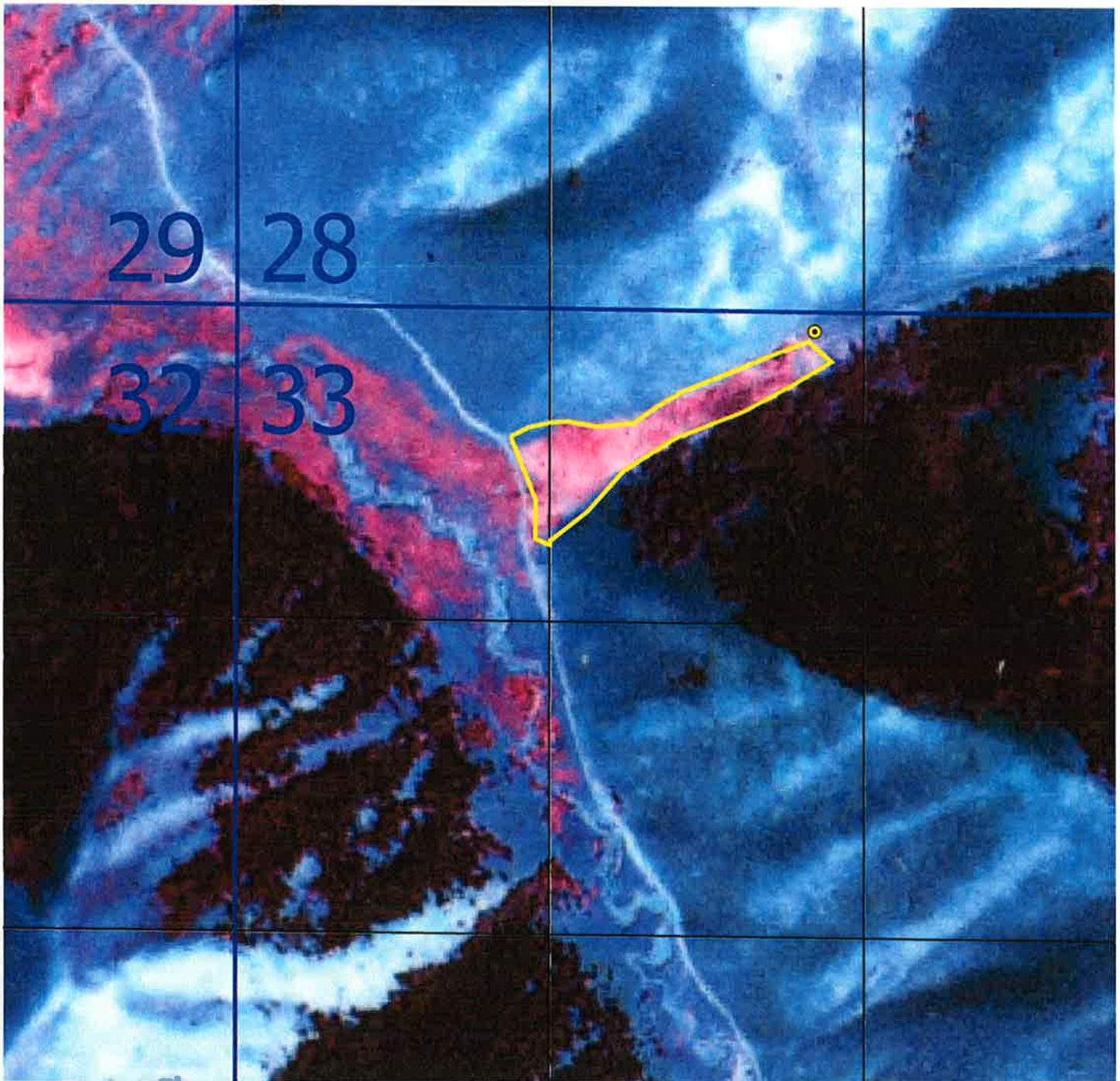
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

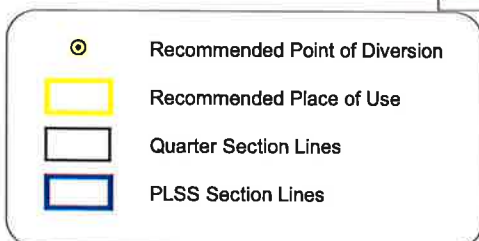
Idaho Department of Water Resources

Right(s): 37-2327

Recommended Place of Use
TWP 04N RNG 19E S33
Prepared January 4, 2007



660 0 660 1320 Feet



GIS Place of Use Presentation
1987 NAPP Aerial Photography

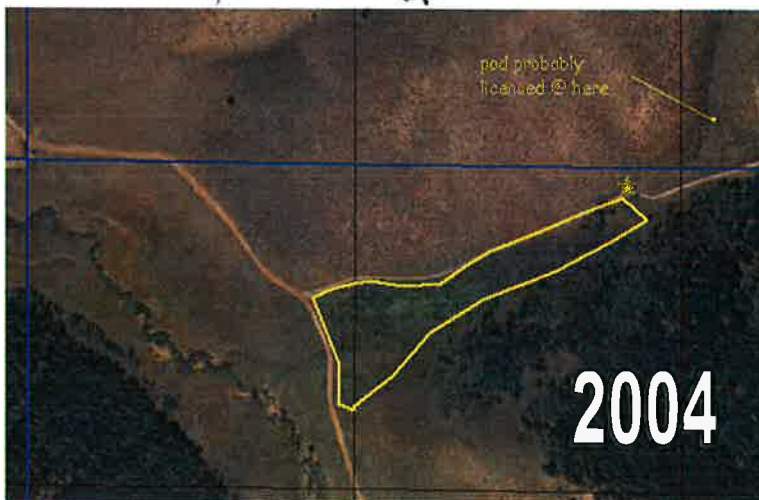
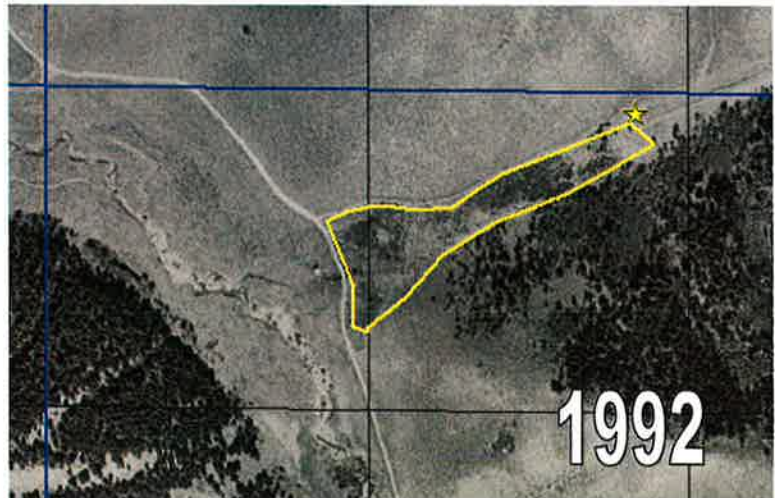
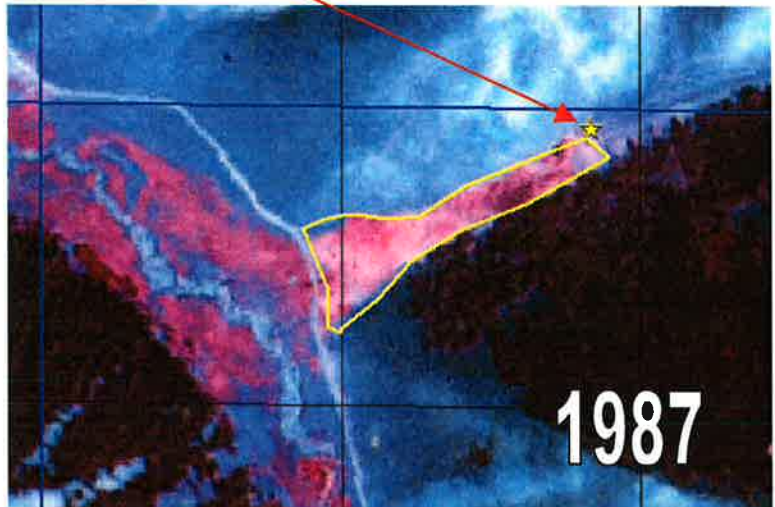
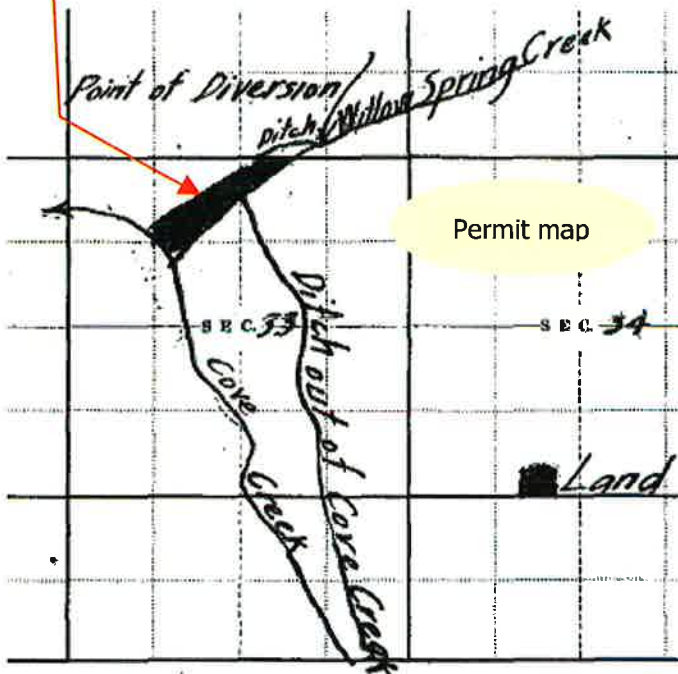
Prepared by Amanda Kriwox

37-2327

Proof of Beneficial Use affidavits, license, & SRBA claim all identify POU as 5 acres in the NWNE and 2 in the NENW...but it appears that all 7 acres are actually located in the NENW, per 1987-2004 imagery. The permit map shows most of the POU in the NENW... Plan to recommend place of use as it exists in 1987...in the NENW as an accomplished transfer. Discrepancy with ownership...but same owner owns the entire POU so it shouldn't affect the recommendation. PODs gpsed in June 2005 but gpsed location in section 33, not 28 as licensed.

Season of Use ~ 5-1 to 10-31

Address1	5820 E MERCER WAY
Owner	MERCER MANAGERMENTS, INC
Address2	
City	MERCER ISLAND
State	WA
Zipcode	98040
P_address	201 COVE CREEK RD
P_zipcode	80000
Sub_name	COVE CREEK RANCH SUB
Legal1	COVE CREEK RANCH SUB
Legal2	LOT 2
Legal3	349.66 SEC 28,32,33 4N 19E



State of Idaho License and Certificate of Water Right

Water License No. 12201

Amount 0.14 sec. ft.

Water District No. 7-B

Priority 6-16-18

THIS IS TO CERTIFY that ANNA ELLINGSEN of Hailey, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 27, 1916; that Permit No. 12201 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.5 second feet, was issued thereunder on June 26, 1920, showing that said works were completed on the 5th day of June, 1920; and that on the 30th day of June, 1921,

JOHN J. ELLINGSEN of Hailey, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Willow Spring, a tributary of R. Ft. Big Wood River for the purpose of irrigation & domestic use, under Use Permit No. 12201 of the State Engineer and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 5 of Licenses, at page 2836, on the 21st day of September, 1921; The right hereby confirmed dates from June 16, 1916;

The Point of Diversion is located in the SW 1/4 SE 1/4 Sec. 28, Tp. 4 N., R. 19 E., B.M. County of Blaine

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.14 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	19 E.	28	NW 1/4 NE 1/4	7	5
			SE 1/4 NW 1/4	7	2
			SW 1/4 NW 1/4	7	

The right to the use of the water aforesaid hereby confirmed is subject to the laws of Idaho, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation of Idaho, this 21st day of September, 1921.

W. G. Swannick

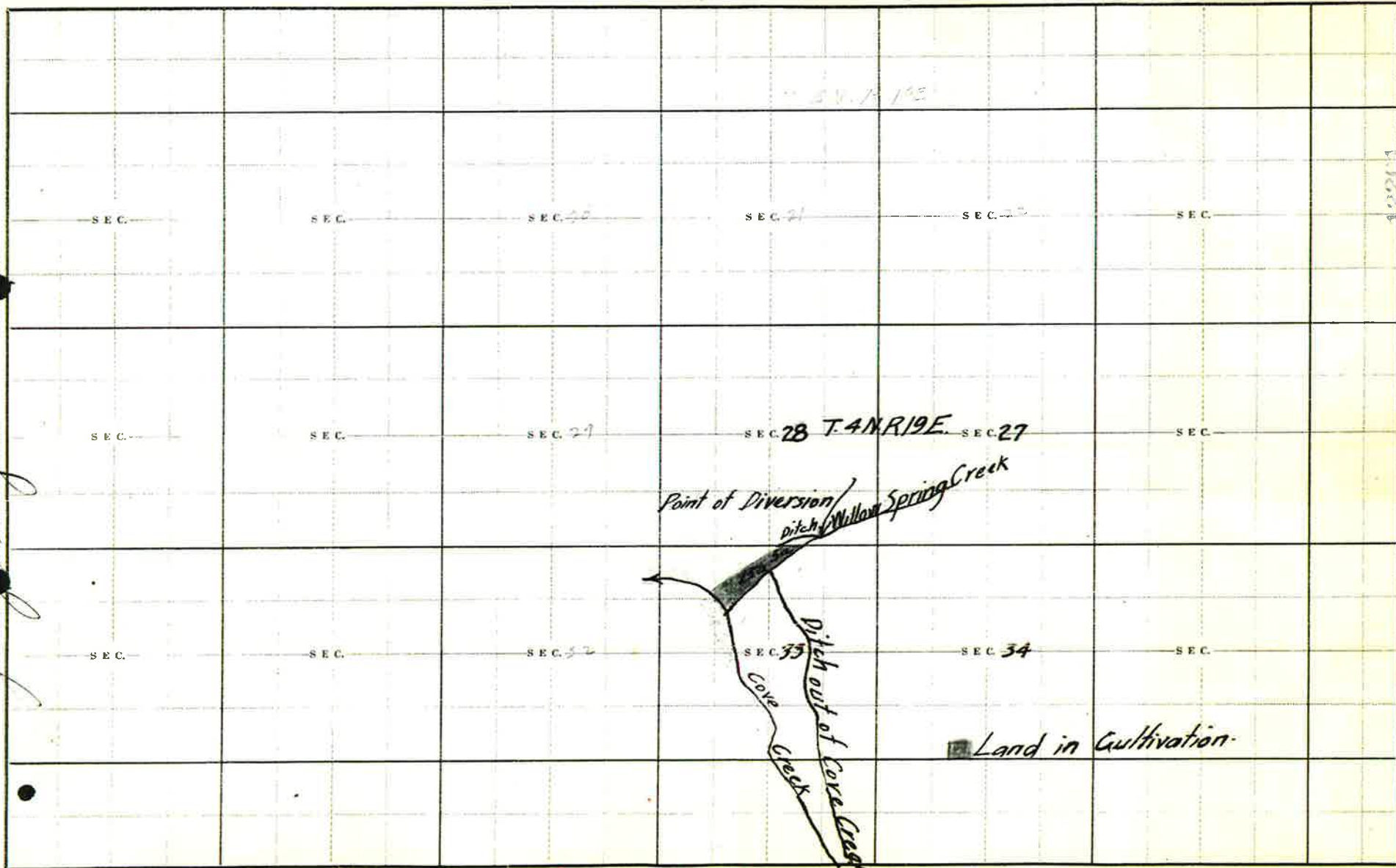
Commissioner of Reclamation.

37 2327

(Seal)

NAME OF APPLICANT

John J. Ellington Permit # 19901



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

REPORT OF ENGINEER

113

This proof is for Beneficial UseIn Water District No. 65
Permit 12201

1. State name of applicant and number of permit: John J. Ellingsen, Adm. of Estate of Anna L. Ellingsen
2. State source of water supply: Willow Spring
3. Location of point of diversion: SW 1/4 Sec. 28-4N-19E

4. Describe works as they exist, giving dimensions and capacities of same: Small Ditch leading to land of capacity between one and two sec. ft.

5. State whether or not water has been turned into works of diversion: Yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NW 1/4 & E 1/4 Sec. 33, T. 4N., R. 19 E., B.M. Difficult to tell

just where the land irrigated from the spring leaves off and land irrigated I have been beginning. There was some 15 to 20 acres in grain pasture and hay. But could not tell how or from just what source it had been watered.

Beneficial use 7 acres as per proof. OK.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? One only.

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Snake River

11. Describe the various tributaries en route from point of diversion to the principal drainage stream: Willow Spring Creek to Cove Creek to Big Wood River to Malade River to Snake River

Remarks:

Could not find the owner of this permit and consequently was handicapped in making examination. Secured information from forest ranger.

This examination was made on the 4 day of July 1921

(Signed)

Geo. H. Carter

Examiner

12201

Name of Applicant

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

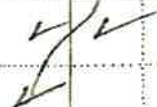
SEC.

SEC. 28

SEC.

SEC.

Lincoln Spring



SEC.

SEC.

SEC.

SEC. 33

SEC.

SEC.

Application No. 17593
Permit No. 12201

APPLICATION FOR PERMIT

37-2327

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

District No. 7-B.

1. Name of applicant: Anna Ellingsen.

Postoffice address: Hailey

County: Blaine State: Idaho

I. If applicant is a corporation, give

- (a) Date and place of incorporation:
- (b) The amount of capital stock:
- (c) The amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand:
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:

2. The quantity of water claimed is one-half cubic feet per second.

3. Source of water supply: Willow Spring, which is a tributary of East Fork Big Wood River.

4. Location of point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28, T. 4 N., R. 19 E. B. M.

County of Blaine.

5. To be used for: Water is to be used for Irrigation and Domestic purposes.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 21 acres.
(b) In the following legal subdivisions:

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

(b) Amount of power to be generated:

H. P. under ft. head

(c) Is water to be returned to any stream?
point of return:

(d) If so, name stream and locate

6. Estimated cost of works: \$150.00

7. Description of works for diversion:

I. Kind of works: Dam and ditches

II. Dimensions of works:

(a) Height of dam 5 feet, length of dam at top 50 feet,
length of dam at bottom 50 feet. Material used in construction: earth and
logs and rocks

(b) Capacity of reservoir acres feet. (c) Size of headgate, width 2 feet,
Height 2 feet. (d) ~~Reservoir~~ Ditch: width at bottom 1 $\frac{1}{2}$ feet,
width at water line 2 feet, depth of water 1 $\frac{1}{3}$ feet; diameter of pipe

inches; average grade per mile is 30 feet. Length of conduit is 1 $\frac{1}{8}$ miles,
and it crosses the following quarter sections:

8. The time required for the completion of the construction of such work is (4) four years.

9. Time required for the complete application of the water to the proposed use is one additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Anna Ellingsen

Applicant.

By H.A. Baker.

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. May 27, 1916.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 12201

Recorded in Book 42 Page 12201 Approved June 10, 1916.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of _____ to be filed on or before
Work to begin on or before August 9, 1916. and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 10, 1918

The whole of said work to be completed on or before June 10, 1920

Beneficial use of water appropriated in accordance herewith, to be made on or before June 10, 1921.

Witness my hand this 10th day of June, 1916.

J.H. Smith.

State Engineer.

Remarks:

14. The land to be irrigated is described in the following tabulation:

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
4 N.	19 E.	33	-7-	-7-	-7-		21.

Total Number of acres to be irrigated - - - - - 21

All land is embraced in applicant's desert land entry made in the United States Land Office at Hailey, Idaho. Patent or final certificate not yet issued.

15(a) Is reservoir to be used? No.

Willow Spring is located on unoccupied and unclaimed public land of the United States:

Works completed : June 5, 1920
Certificate issued : June 26, 1920.

Permit No. 12201

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Anna Ellingsen, of Hailey, County of Blaine, and State of Idaho, the holder of Permit No. 12201, issued upon Application No. 17593, bearing date of priority of May 27, 1916, authorizing the diversion of 0.5 second feet of the waters of Willow Spring, County of Blaine, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.5 second feet of the waters of Willow Spring; that the point of diversion of said waters is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28. T. 4 N., R. 19 E., B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ & 7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T. 4 N., R. 19 E., B.M.

Witness my hand this 26th day of June, A.D. 1920.

W. G. Swendsen,
Commissioner of Reclamation.

By: S. T. Baer,
Deputy.

License issued for 0.5 second feet
Page 2495
2836

Date of first receipt at office of State Engineer 9:00 A.M. May 27, 1916.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 12201

Recorded in Book 42 Page 12201 Approved June 10, 1916.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of _____ to be filed on or before
Work to begin on or before August 9, 1916. and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 10, 1918

The whole of said work to be completed on or before June 10, 1920

Beneficial use of water appropriated in accordance herewith, to be made on or before June 10, 1921.

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All land is embraced in applicant's desert land entry made in the United States Land Office at Hailey, Idaho. Patent or final certificate not yet issued.

15(a) Is reservoir to be used? No.

Willow Spring is located on unoccupied and unclaimed public land of the United States:

Works completed : June 5, 1920
Certificate issued : June 26, 1920.

Permit No. 12201

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To All Whom It May Concern:

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Witness my hand this 26th day of June, A.D. 1920.

W. G. Swendsen,
Commissioner of Reclamation.

By: S. T. Baer,
Deputy.

License issued for 0.4 second feet
Page 249
2836

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-2327

WATER RIGHT NUMBER: 37-2327

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	BRIAN L BALLARD PO BOX 1617 BOISE, ID 83701 (208)344-6000
Current Owner	COVE CREEK LTD PARTNERSHIP PO BOX 4620 KETCHUM, ID 83340 (208)726-6000
Original Owner	ANNA ELLINGSEN , ID
Original Owner	JOHN J ELLINGSEN HAILEY, ID

Priority Date: 06/16/1916

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
WILLOW SPRING	EAST FORK WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.140 CFS	
	<u>Total Diversion:</u>	0.140 CFS	

<u>Location of Point(s) of Diversion</u>		
WILLOW SPRING	SW1/4SE1/4	Sec. 28, Twp 04N, Rge 19E, B.M.
BLAINE County		

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	19E	33		5.0				2.0											7.0

Total Acres: 7

Conditions of Approval:

1. DIVERSION WORKS ARE PART OF A SYSTEM OF COLLECTOR DITCHES WHICH GRAVITY FEED AND NATURALLY FLOOD IRRIGATE THE PLACE OF USE.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-2327

Comments:Dates and Other Information:

Claim Received Date: 11/5/1992
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:

01/04/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2327

NAME AND ADDRESS: COVE CREEK LTD PARTNERSHIP
PO BOX 4620
KETCHUM ID 83340

SOURCE: WILLOW SPRING

TRIBUTARY: EAST FORK WOOD RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 06/16/1916

POINT OF DIVERSION:

T04N R19E S33 NENENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	0.140 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R19E S33	NENW	5.90	T04N R19E S33	NWNW	1.10
---------------	------	------	---------------	------	------

7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

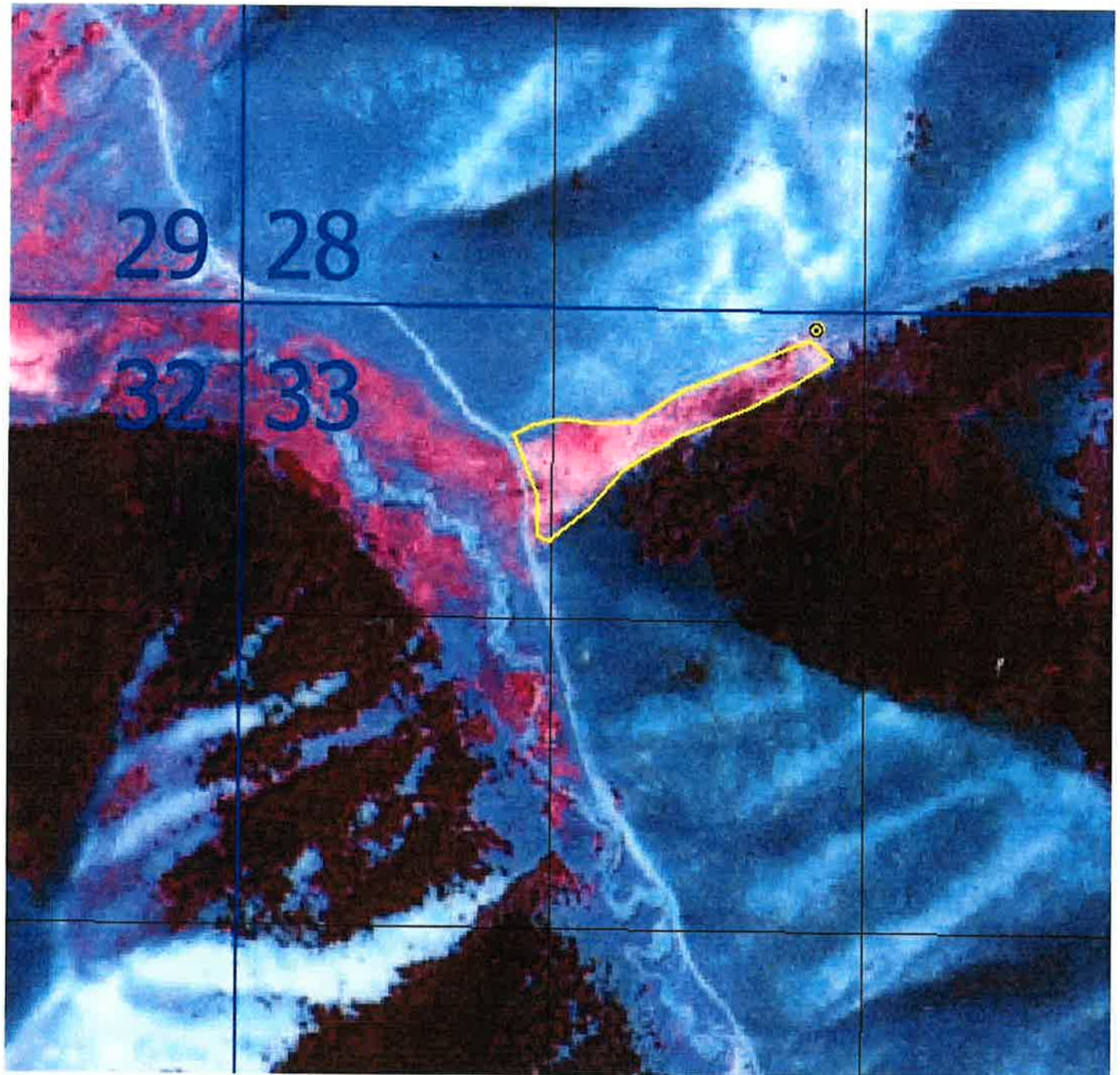
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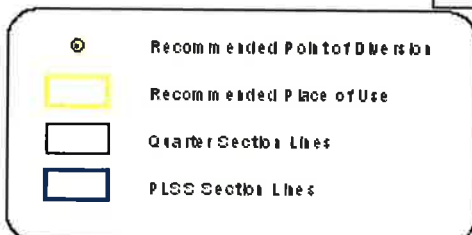
Idaho Department of Water Resources

Right(s): 37-2327

Recommended Place of Use
TWP 04N RNG 19E S33
Prepared January 4, 2007



660 0 660 1320 Feet



GIS Place of Use Presentation
1987 NAPP Aerial Photography

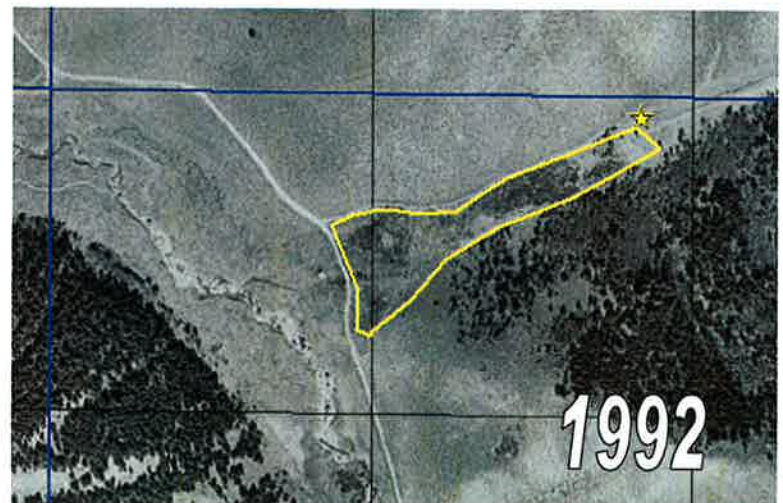
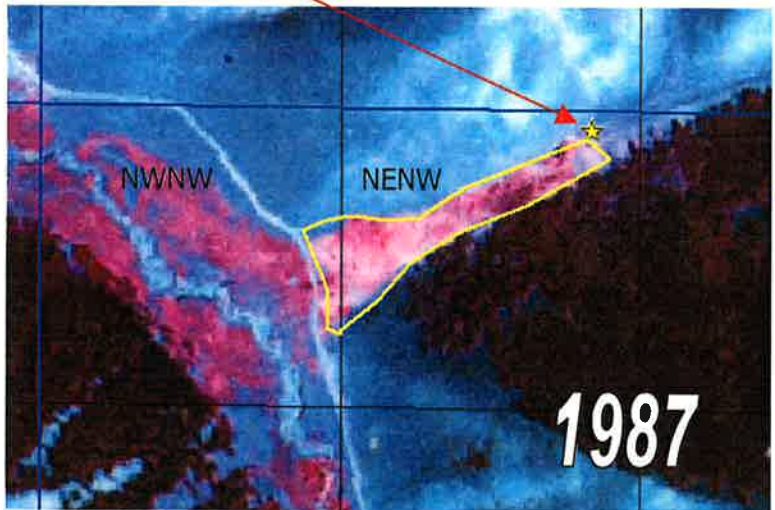
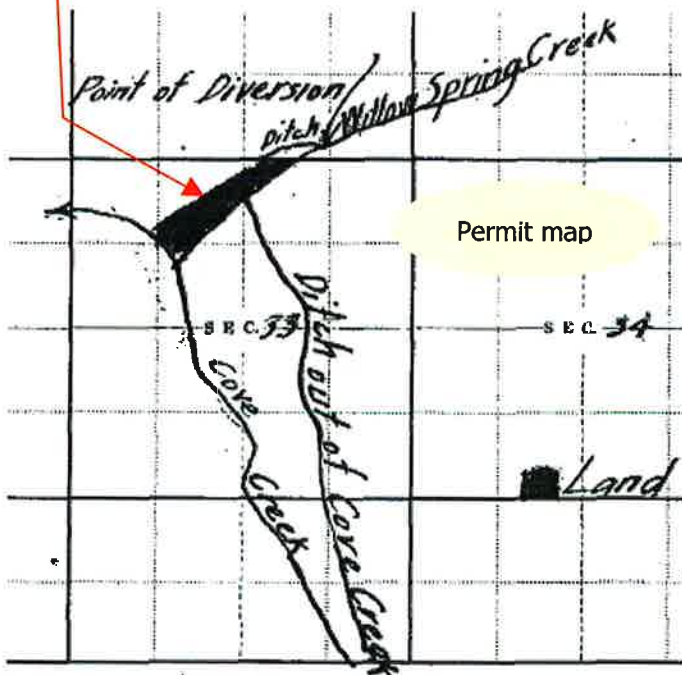
Prepared by Amanda Kriwox

37-2327

Proof of Beneficial Use affidavits, license, & SRBA claim all identify POU as 5 acres in the NWNW and 2 in the NENW...but it appears that all 7 acres are actually located in the NENW, per 1987-2004 imagery. The permit map shows most of the POU in the NENW... Plan to recommend place of use as it exits in 1987...in the NENW as an accomplished transfer. Discrepancy with ownership...but same owner owns the entire POU so it shouldn't affect the recommendation. PODs gpsed in June 2005 but gpsed location in section 33, not 28 as licensed.

Season of Use changed to standard: 5-01 to 10-31

Address1	5820 E MERCER WAY
Owner	MERCER MANAGERMENTS, INC
Address2	
City	MERCER ISLAND
State	WA
Zipcode	98040
P address	201 COVE CREEK RD
P zipcode	80000
Sub name	COVE CREEK RANCH SUB
Legal1	COVE CREEK RANCH SUB
Legal2	LOT 2
Legal3	349.66 SEC 28,32,33 4N 19E



File No.
A37-02354-2327

Owner
Cove Creek LTD Partnership
% Tom Drougas
P.O. Box 4620
Ketchum

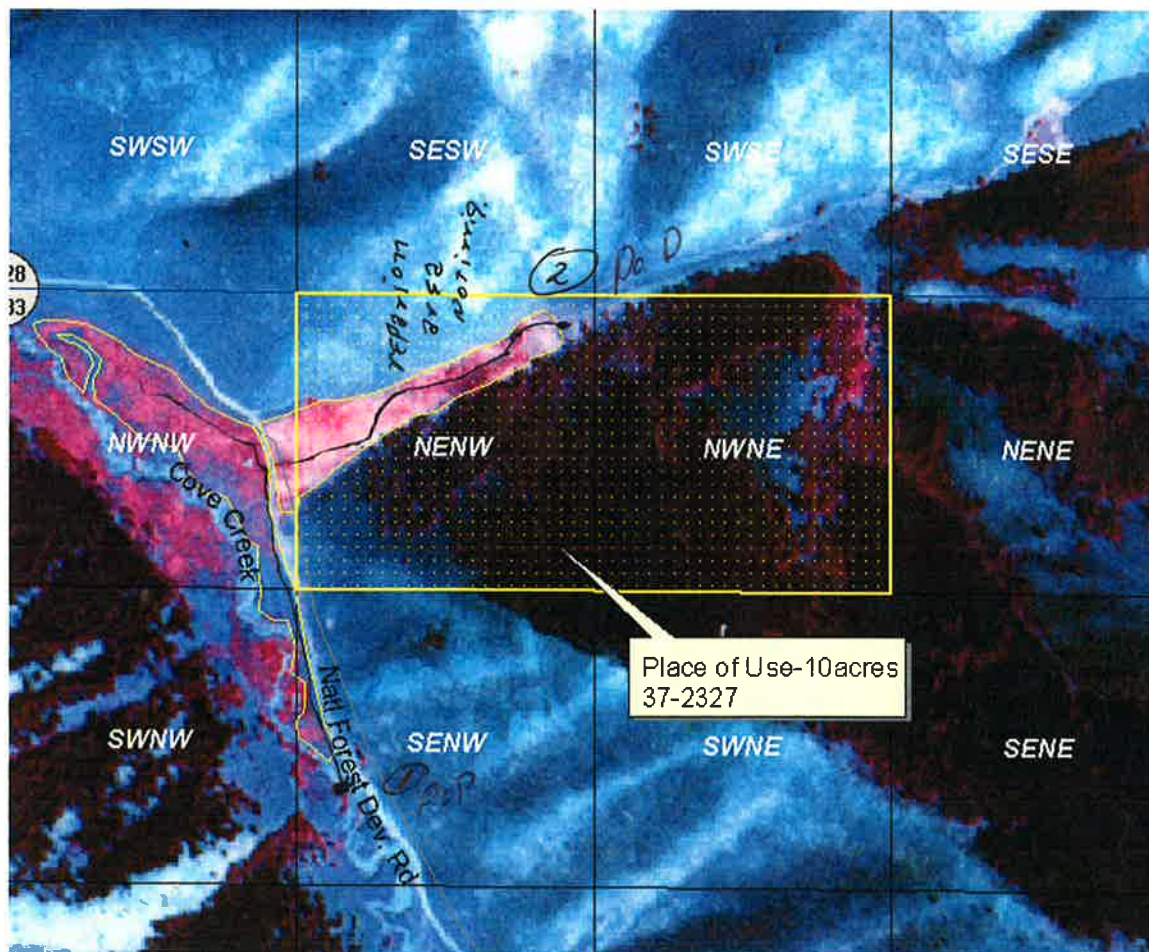
Date
6/24/05

I met Tom at noon at the property location up East Fork of Big Wood River and we looked thru their two water files and on file 2354 Tom said the area marked with small yellow line along the creek looks ok for the place for this water and he drew where the ditch was approx. along the road from the POD as marked on color photo as point no. 1 , this area is now sage and natural grass and does not appear as watered for some time except for rain.

File 2327 is a spring at POD no. 2 and the area is natural grass -trees- brush watered by rain- and sub from creek, this water flows down the canyon into cove creek the ditch mark is the creek approx. He said the area marked looked ok

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Cove no.1	Cove 1	2483721	1381793	A0016251	1060624
Spring 2	Cove 2	2483996	1382391	none	625

Lee R. Peterson



This is a 7 acre licensed right.

Verify the Place of use and any ditches or drainages that this might be watered from.

GPS the Point of Diversion.

[Send To Printer](#)

[Back To TerraServer](#)

[Change to 11x17 Print Size](#)

[Show Grid Lines](#)

[Change to Port](#)

USGS 16 km NE of Hailey, Idaho, United States 23 Jul 1999



0 100M

0 100yd

Image courtesy of the U.S. Geological Survey

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Terms of Use

Privacy Statement



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

RECEIVED

PHILIP E. BATT
Governor

KARL J. DREHER
Director

October 11, 1995

OCT 11 1995

Tom Drougas
PO Box 4620
Ketchum, ID 83340

Department of Water Resources
Southern Region

RE: Development of small regulation pond

Dear Mr. Drougas:

As we discussed in our phone conversation on October 10, 1995 the department does not require that you obtain a water right for storage to develop a small regulation pond for improving the efficiency of your irrigation system.

As you indicated you would like to build a 40'X 100' pond with average depth of 4' for the purpose of placing a pump to improve the efficiency of your irrigation system. The water right associated with your system is evidenced by license 37-02327 and claimed as A37-02327 in the Snake River Basin Adjudication. The record of the right lists a diversion rate of 0.14 cfs. A general rule of thumb for determining if a pond in an irrigation system needs a storage right is if the pond can be filled or drained within 24 hours at the rate of the associated water right. Using your desired dimensions it is calculated that the pond would fill in 31 hours. Since this is slightly longer than 24 hours I suggest you decrease the volume of pond by 25%.

Please note that use of the pond is limited to regulation of water diverted for irrigation and as such is limited to the irrigation season. If water is intended to be ponded year round then a water right should be obtained. Please also note that your water right 37-02327 is subject to review in the SRBA and nothing in the letter is intended to validate or confirm the right.

If you have questions please feel free to contact our office.

Sincerely,


Allen Merritt, PE

Southern Region Manager

CC: Gary Slette

MICROFILMED
NOV 22 1996

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Cove Creek L. Ted Partnership

CLAIM IDENT. NO.

A37-02327

DATE RECEIVED

11/5/92

CK #

C025940

AMOUNT \$

202⁰⁰

YES

NO

Required Info?

1. Is the name and address complete with zip code?

*

2. Is a priority date entered?

*

Is the priority date acceptable in view of mandatory filing dates?

*

See Adjudication Memos #1 and #4 to determine if a Permit is required.

*

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient?

*

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

*

Is the period of use included?

*

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

N/A

Is the consumptive use correct?

N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

*

10. Is (are) the place(s) of use and purpose(s) indicated?

*

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

15. Is the basis of the claim indicated?

16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)

N/A

17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.

*

18. Has the claim been signed, sealed, and dated by a notary?

*

19. Was this claim filed on time, or was an extension granted?

*

20. Is the fee enclosed correct?

Exempt

*

21. If this claim is based on an existing water right, has the identification number been entered?

N/A

22. Should this claim be data entered?

Claim checked by:

S.W. Keen

Date:

11/4/92

Claim must be returned to claimant:

(Yes) (No)

Claimant must be notified of modifications:

(Yes) (No)

Receipt Prepared by:

J. Yarbrough

Date:

11/5/92

Checked by:

FEB 23 1993

Claim data entered by:

Date:

Sent to claimant by:

Date:

Comments:

50+7 = \$57. No Late Fee - Claimant purchased this property after Round 1 and filed the claim before Round 2. (See Memo # 2, Exception #3).

\$57 + 85 + 60 = \$202

WR5809NP
No. 37-02327

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/23/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN J. ELLINGSEN	06/16/1916	IRRIGATION DOMESTIC	00-00 00-00 00-00 00-00	0.14 CFS	

TOTAL DIVERSION: 0.14 CFS

Water Source: HOOK DRAW

Tributary to: COVE CREEK

Stage: LICENSE

Point(s) of Diversion: T04N R19E S28 SW SE

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
04N	19E 33			05				02										7.0
TOTAL ACRES																		7.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BLAINE

Remarks: PER REVIEW ENGINEERS REPORT, WATER DIVERTED FROM WILLOW SPRING CREEK, AS LOCALLY KNOWN, AND COVE CREEK.

Dates: App. Received: Priority Date: 06/16/1916
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 05/10/1979

Misc: Water District Number: 37 Field Exam Fee:

Audit: 06/18/85 05/28/88 CONVERT

MICROFILMED
AUG 24 1994

WR5809NP
No. 37-02354

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/23/93
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANNA L. ELLINGSEN	08/18/1917	IRRIGATION DOMESTIC	00-00 00-00 00-00 00-00	0.14 CFS	

TOTAL DIVERSION: 0.14 CFS

Water Source: COVE CREEK

Tributary to: BIG WOOD RIVER EAST FORK

Stage: LICENSE

Point(s) of Diversion: T04N R19E S33 NE SW

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
04N	19E	33	:																	:	10.0	
																				:	10.0	
																				:	TOTAL ACRES	10.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BLAINE

Dates:	App. Received:	Priority Date:	08/18/1917
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	05/10/1979	

Misc: Water District Number: 37 Field Exam Fee:

Audit: 06/03/85 05/28/88 CONVERT

MICROFILMED
AUG 24 1994

WR5809NP
No. 37-02637

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/23/93
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MITCHELL LECERTUA	10/14/1960	IRRIGATION	00-00 00-00	0.70 CFS	
TOTAL DIVERSION:					0.70 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04N R19E S32 NW NE

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04N	19E	32	:			35														:	35.0
TOTAL ACRES																				35.0	

Pou County: BLAINE

Conditions of Approval:
016 - See remarks for additional conditions of approval.

Remarks: HORIZONTAL WELL.
7 CFS, NOT TO EXCEED ACTUAL SEEPAGE FLOW.

Dates: App. Received: Priority Date: 10/14/1960
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 05/15/1979

Misc: Water District Number: Field Exam Fee:

Audit: 05/06/85 05/28/88 CONVERT

MICROFILMED
AUG 24 1994

08-21-92

LEICERTVA to COVE CR LTD PARTNERSHIP

37-2327

-2354

-2637

owned: TOWN RISE \$28 SE, S 1/2 SW
\$32 N 1/2 NE
\$33 N 1/2

Q

35

7,10

Sold: same

proof: signature of former owner

W. deed w/ claim

-2637

\$20 or \$20?

✓ AJQ1: prints (AJQ1 & 11)
AJQ4: print

NOTE:

Property purchased after Round 1 and filed
B4 Round 2 - claimed in name of the
purchaser - all 3 claims.

37-02327 FELLINGSEN

-02354 "

-02637 in name of LEICERTVA

Q further work needed - reviewed w/ HHT 02-23.

MICROFILMED

AUG 24 1994

INTER-DEPARTMENT MEMO

TO: FILE A37-02327

SUBJECT: OWNERSHIP CHANGE

FROM: 7H

DATE: 02-23-93

Re: TCW HHT @ S.O.:

Claims A37-02327

-02354

-02637

already in name of new owner as a result
of purchase after Round 1 and filed in
name of new owner before Round 2.

() For your information

() Response required

F. [Signature]

signature

MICROFILMED
AUG 24 1994